

REMARKS

Applicants respectfully request that the above application be reconsidered, as amended. Claims 3-15 and 33-34 are currently pending; Claims 3-8 and 33 have been allowed, Claims 9-11 have been rejected, and Claims 12-15 have been objected to.

Applicants acknowledge the statement at page 3 of the Office Action that Claims 3-8 and 33 are considered to be allowable over the prior art of record.

New Claim 34 has been added which defines the gas distributor as being positioned such that the gas outlet head is proximate the top of the coating container. Support for new Claim 34 can be found in paragraph [0009] at page 3 of the above application.

A. Response to Rejection of Claims 9-11 under 35 U.S.C. § 103(a) as Unpatentable over Walter, Taken in View of Carlson et al, Wanlass and Suda

At pages 2-3 of the Office Action, the Examiner has rejected Claims 9-11 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,203,851 (Walter), taken in view of U.S. Patent 4,928,626 (Carlson et al), U.S. Patent 4,649,859 (Wanlass) and U.S. Patent 5,229,081 (Suda).

Applicants respectfully traverse this rejection. As acknowledged by the Office Action, Walter does not teach or suggest a gas distributor having a plurality of gas deflectors as defined in Claims 9-11. Instead, the Office Action relies on Carlson et al (referring to Figs. 3-4), Wanlass (referring to Figs. 1-3) and Suda (referring to Figs. 5-7) to teach a gas distributor that includes a gas inlet and a gas head having a plurality of outlets along its periphery. The Office Action further alleges that each of these references teach that the gas flow exits the outlets in a plurality of streams, which are then deflected in at least a generally downward centripetal path, and that the deflecting surfaces are the chamber walls of the vapor coating containers, which are considered to be “deflectors.”

The Office Action’s reliance on Carlson et al, Wanlass and Suda is misplaced. Contrary to what the Office Action suggests, none of these references teach or suggest a “plurality of gas deflectors” as defined in Claims 9-11. In particular, and unlike the chamber walls of the vapor coating containers of Carlson et al, Wanlass or Suda, the plurality of gas deflectors defined in

Claims 9-11 are a component of the gas distributor, not the coating container. Accordingly, the chamber walls of the vapor coating containers of these references cannot be considered the structural equivalent of the plurality of gas deflectors defined in these Claims. In addition, none of these references teach or suggest the angular deflectors defined in Claim 11 comprising: (1) an aft component having a generally forward deflecting surface; and (2) an upper component having a generally downward deflecting surface such that the gas stream exiting each gas outlet is directed by each angular deflector into a curved generally centripetal, downward path.

New Claim 34 is distinguishable and unobvious over Walter, even in view of Carlson et al, Wanlass and Suda, for an additional reason. Claim 34 defines the gas distributor as being positioned such that the gas outlet head is proximate the top of the coating container. By contrast, the gas outlet of Walter (nozzle aperture 41 of Venturi nozzle 4) that supplies propellant gas to container 1 is positioned at the bottom of container 1, not proximate the top thereof. See FIGs. 1-4 and 6 of Walter where Venturi nozzle 4 is positioned proximate the bottom of container 1 such that the propellant gas also exits from nozzle aperture 41 proximate the bottom of container 1, as well as col. 2, lines 55-57 which teaches that Venturi nozzle 4 is preferably arranged in the lower region of container 1.

For the foregoing reasons, Claims 9-12, as well as new Claim 34, are unobvious over Walter, even in view of Carlson et al, Wanlass and Suda.

B. Response to Objection to Claims 12-15

At page 3 of the Office Action, Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim.

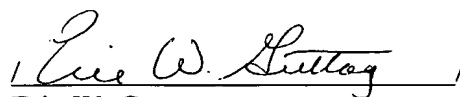
For reasons previously stated, Claims 9-11 that Claims 12-15 ultimately depend from are unobvious and allowable over the prior art relied on in this Office Action. Accordingly, Applicants respectfully request that this objection to Claims 12-15 be withdrawn.

C. Conclusion

In conclusion, Claims 3-15 and 33-34, as amended, are unobvious over the prior art relied in the Office Action. Accordingly, Applicants respectfully request that Claims 3-15 and 33-34, as amended, be allowed to issue in the above application.

Respectfully submitted,

For: Gary E. WHEAT et al

A handwritten signature in cursive script, reading "Eric W. Gutttag", is written over a horizontal line.

Eric W. Gutttag
Attorney for Applicants
Reg. No. 28,853
(513) 856-7272
Customer Number 49305

March 28, 2005